

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

LASHON OWENSBY,	:	Case No. 3:16-cv-282
Petitioner,	:	
- vs -	:	District Judge Thomas M. Rose
	:	Magistrate Judge Michael R. Merz
WARDEN, Pickaway Correctional	:	
Institution,	:	
Respondent.	:	

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 22), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is ordered that Petitioner's Motion for Relief from Judgment filed December 15, 2016 (ECF No. 15) be DENIED. Petitioner is also DENIED a certificate of appealability and the Court hereby certifies to the United States Court of Appeals that an appeal would be objectively frivolous and therefore should not be permitted to proceed in forma pauperis.

June 25, 2018

*/Thomas M. Rose

Thomas M. Rose
United States District Judge